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EXAMINER

LE, KAREN L

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2614

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/995,634	Applicant(s) SMITH, BENJAMIN V.	
	Examiner KAREN L. LE	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-33 and 36-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31-33 and 36-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 31-33 and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masek (U. S. 5,272,749) in view of Fleischer, III et al. (U.S. 6,411,699).

Regarding claims 31 and 36, Masek teaches a method for providing subscription code services in a geographical area (col. 3, lines 44-47), the method comprising:

Allocating a plurality of subscription codes (Col. 2, lines 32-40, ex 511-CAR CITY, Col. 12, lines 3-9, ex. AEX#) for the services;

Storing the subscription codes in a look up table (Col. 15, lines 22-25 and col. 16, lines 24-30).

Masek teaches detect calls initiated by one or more callers using one of the subscription codes, query a controller for call routing instructions when a call initiated by a caller using one of the subscription code (Col. 3, lines 1-9).

Retrieving a telephone number from the look up table (Col 5, lines 10-15), the telephone numbers are substantially permanently assigned to the subscription code (see Col. 15, lines 22-25 and Col. 3, lines 35-55 and Col. 16, lines 16-23), and terminating the call using the telephone number (col. 3, lines 35-55).

Masek does not teach using AIN features such as provision a trigger and query a controller in his switching application. Masek further does not teach the look up table containing associations of the subscription code to multiple telephone numbers, each telephone numbers being associated with a different subscriber. However, Fleischer teaches all AIN features in the Advanced Intelligent Network for routing calls to a closest of a plurality of branch or satellite offices based upon the geographic area in which the call originates (See Abstract, Col. 8, line 63-Col. 9, lines 20, Col. 10, lines 39-65, Look up table Col. 9, lines 12 and lines 49). Fleischer's network ascertains the geographic location from which the call originates and accordingly, route the originating call to a subscriber's office which is located closest to the originating caller. Fleischer also teaches enabling subscribers to individualize their service by only routing to the closest satellite office at specified days and times. The ability to combine geographic routing with other routing options such as time of day, day of week, specific date, etc. (See Abstract, and Col. 3, lines 20-29) provides flexibility to various routing options for the calls. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Fleischer's AIN feature and Fleischer's look up table into Masek's system in order to association of the subscription code to multiple telephone numbers corresponding to different region and time of day.

Regarding claim 32, Masek further teaches wherein the originating region is determined based on one or more of an NPA-NXX designation, an originating point code, and a zip code associated with the caller (Col. 2, lines 1-6).

Regarding claim 33, Masek teaches a method for providing subscription code services in a geographical area (col. 3, lines 44-47), the method comprising:

Allocating a plurality of subscription codes (Col. 2, lines 32-40, ex 511-CAR CITY, Col. 12, lines 3-9, ex. AEX#) for the services;

Storing the subscription codes in a look up table stored within a controller (Col. 15, lines 22-25 and col. 16, lines 24-30).

Masek does not teach provisioning a customized dialing plan trigger on at least one switch within the geographical area, sending an Info_Analyze message to query the controller for call routing instructions when a call initiated by a caller using the subscription codes is detected at a switch, the query including a translation type, an origination point code, the subscription code and a time of day when the call was initiated, retrieving an Analyze_Route message containing a plurality of telephone numbers from the look up table containing associations of the subscription code to multiple telephone numbers base at least in part on the subscription code to multiple telephone numbers based at least in part on the subscription code and the time of day when the call was initiated . However, Fleischer teaches all the above AIN trigger features in the Advanced Intelligent Network (AIN) for routing calls to a closest of a

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plurality of branch or satellite offices based upon the geographic area in which the call originates (See Abstract, Col. 8, line 63-Col. 9, lines 20, Col. 10, lines 39-65, Look up table Col. 9, lines 12 and lines 49). Fleischer's network ascertains the geographic location from which the call originates and accordingly, route the originating call to a subscriber's office which is located closest to the originating caller. Fleischer also teaches enabling subscribers to individualize their service by only routing to the closest satellite office at specified days and times. The ability to combine geographic routing with other routing options such as time of day, day of week, specific date, etc. (See Abstract, and Col. 3, lines 20-29) provides flexibility to various routing options for the calls. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate AIN, look up table and routing a call based on day and time features of Fleischer into Masek's system in order to detect call initiated by callers using the subscription codes, determining an originating region from which the call was initiated by caller using subscription code, send an message to query the controller for call routing instructions, the query including a transaction type, origination point code, the subscription code and a time of day when the call was initiated.

Masek further teaches the telephone numbers are substantially permanently assigned to the subscription code (see Col. 15, lines 22-25 and Col. 3, lines 35-55 and Col. 16, lines 16-23), offering a caller a selection of one of the retrieved telephone numbers corresponding to the same subscription code(Col. 19, lines 65-68 and Col. 20, lines 1-2).

Masek further teaches retrieving a telephone number from the look up table (data chart II, Col. 17 and 18), the subscription code is associated with two or more different subscribers (Col. 19, lines 64-68 and Col. 20, lines 1-2), terminating the call using the telephone number (Col. 3, line 35-55).

Regarding claim 37-38, Masek teaches presenting to the caller a list of subscribers associated with the subscription code and receiving one telephone number corresponding to a subscriber that has been chosen by the caller from the list (Col. 10, lines 67-Col.11, lines 2).

Masek does not teach that the presenting step involves a prerecorded announcement. The presenting and receiving steps are performed by one or both of a service node and the switch. However, Fleischer teaches a presenting step involves a prerecorded announcement. The presenting and receiving steps are performed by one or both of a service node and the switch (Col. 2, lines 37-49).

1. Claims 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masek (U. S. 5,272,749) in view of Fleischer, III et al. (U.S. 6,411,699), and further in view of Crocket (U.S. 5,590,188).

Regarding claims 39, 41 and 42, Masek teaches a method for providing subscription code services in a geographical area (col. 3, lines 44-47), the method comprising:

Allocating a plurality of subscription codes (Col. 2, lines 32-40, ex 511-CAR CITY, Col. 12, lines 3-9, ex. AEX#) for the services;

Storing the subscription codes in a look up table (Col. 15, lines 22-25 and col. 16, lines 24-30).

Masek does not teach provisioning a trigger at each of-at least one switch within the geographical area, wherein the trigger is adapted to detect calls initiated by one or more callers using one of the subscription codes, querying a controller for call routing instructions when a first call initiated by a first caller using a subscription code is detected at a switch, determining an originating region from which the first call was initiated. However, Fleischer teaches all the above AIN trigger features in the Advanced Intelligent Network (AIN) for routing calls to a closest of a plurality of branch or satellite offices based upon the geographic area in which the call originates (See Abstract, Col. 8, line 63-Col. 9, lines 20, Col. 10, lines 39-65, look up table Col. 9, lines 12 and lines 49). Fleischer's network ascertains the geographic location from which the call originates and accordingly, route the originating call to a subscriber's office which is located closest to the originating caller. Fleischer also teaches enabling subscribers to individualize their service by only routing to the closest satellite office at specified days and times. The ability to combine geographic routing with other routing options such as time of day, day of week, specific date, etc. (See Abstract, and Col. 3, lines 20-29) . Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate AIN, look up table and routing a call based on day and time features of Fleischer into Masek's system in order to detect call initiated by

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callers using the subscription codes, determining an originating region from which the call was initiated by caller using subscription code, send an message to query the controller for call routing instructions, the query including a transaction type, origination point code, the subscription code and a time of day when the call was initiated.

Masek further teaches the telephone numbers are substantially permanently assigned to the subscription code (see Col. 15, lines 22-25 and Col. 3, lines 35-55 and Col. 16, lines 16-23), and terminating the call using the telephone number (col. 3, lines 35-55). Presenting to the caller a list of subscribers associated with the subscription code, receiving one telephone number corresponding to a subscriber that has been chosen by the caller from the list (Col. 19, lines 64 – Col. 20, lines 70).

Masek further teaches retrieving a telephone number from the look up table (data chart II, Col. 17 and 18), the subscription code is associated with two or more different subscribers (Col. 19, lines 64-68 and Col. 20, lines 1-2).

Masek does not teach a look up table containing associations of the subscription code to multi telephone numbers, each telephone number being associations with different subscriber corresponding to different originating regions. Masek teaches many look up translator tables through which the CPU locates the true phone number of subscriber (see Col. 15, lines 22-25 and Col. 16, lines 24-29). Fleischer teaches a look up table containing association of zip-code to muti routing number (See figures 3, figure 8). A table is just a data grid used to store similar information. It is made up of columns that represent entity attributes or pieces of data, and rows, which represent individual record. Usually, databases have more tables, each corresponding to one of the objects

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that are trying to represent. Masek was filed in 1991, so that it is easy to understand that the database system at the time the invention was made can contain additional attributes for features stored in an associated feature attribute table. A look-up table could be a categories table for products, storing the category ID and the name or associations of the subscription code to multiple telephone number. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the look up table of Fleischer into Masek's system in order to have a look up table containing association of subscription code to multi telephone numbers.

Masek does not teach selecting for the first caller one of the multiple telephone number associated with one of the plurality of subscribers associated with the subscription code in a predetermined round robin order such that one of the plurality of subscribers has a greater chance of being contacted by the caller using the subscription code than the remaining plurality of subscribers, and terminating the call using the selected telephone number. However Crockett teaches the predetermined round robin order such that one of the plurality of subscribers has a greater chance of being contacted by the caller using the subscription code than the remaining plurality of subscribers, and terminating the call using the selected telephone number (Col. 4, lines 45-47, Col. 3, lines 34-38 and Col. 5, lines 45-65). Crockett teaches rules to define constraints and/or preferences that control the actions of the decision procedure of the call routing processor. Crockett also teaches initial target routing percentages for each of the destinations. Thus, it would have been obvious to one of ordinary skill in the art

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at the time the invention was made to incorporate Crocket's feature into Masek's system in order to provide predetermined round robin order using the subscription code. The predetermined round robin order is similar to a rules-based call routing method that distributes telephone calls among multiple call center destinations in a telephone network. The rules-based call routing method has been implemented throughout the telephone network.

Regarding claim 40, Masek further teaches wherein the originating region is determined based on one or more of an NPA-NXX designation, an originating point code and a zip code associated with the caller (Col. 2, lines 1-6).

Response to Arguments

3. Applicant's arguments filed 6/02/2008 have been fully considered but they are not persuasive.

Applicant argues that Masek fails to describe "a look up table containing associations of the subscription code to multiple telephone numbers each telephone number being associated with a different subscriber corresponding to different originating regions based at least in part on the subscription code". Masek teaches a data chart containing translator tables through which CPU locates the true telephone number. For example AEX# made up of 3 translator tables through which the CPU locates the true phone number (800) 528-4800, Fleischer teaches a predefined look up table for associating each zip code within a subscriber service area with store location

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terminating number (routing number). Each zip code associates with many store locations terminating number base on zip code+4 service (see Fig. 3, each zip code 63101+4 digits associates with many routing numbers). Fleischer further teaches ascertaining the geographic location of the call origination so as to route the call to a nearest termination telephone number (Col. 3, lines 13-15). So, Adding Fleischer's feature into Masek's system does teach a look up table containing association of the subscription code to multiple telephone numbers each telephone number being associated with a different subscriber corresponding to different originating regions based at least in part on the subscription code. Fleischer is the secondary reference, and it does not have to be bodily incorporated in the primary reference.

Applicant further argues that Masek and Fleischer fail to describe AIN features such as provision a trigger and query a controller in his switching application. However Fleischer teaches AIN features in the AIN network for routing calls to a closest of a plurality of branch or satellite offices based on the geographic area in which the call originates (see col. 10, lines 39-65). Trigger features of AIN are old and well known in Telecommunication. Furthermore, it would have been been obvious to utilize old and well known features in "newer" known prior art environments such as the AIN. Using Masek's tables in known new databases that are easier is search would also have been obvious.

For the above reasons, Masek and Fleischer are maintained for supporting the enclosed Examiner's non-final rejection.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen L. Le whose telephone number is 571-272-7487. The examiner can normally be reached on Mon and Thurs: 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Karen L Le/
Examiner, Art Unit 2614

September 10, 2008

/Ahmad F. Matar/
Supervisory Patent Examiner, Art Unit 2614

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